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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,464	02/23/2004	Daniel E. Kokin	KOK-02	1812

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EXAMINER

KOVAL, MELISSA J

ART UNIT PAPER NUMBER

2851

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/784,464

**Applicant(s)**

KOKIN ET AL.

**Examiner**

Melissa J. Koval

**Art Unit**

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 6, 7 and 19 are objected to because of the following informalities: The word

-- incandescent -- is incorrectly spelled in both claims 6 and 7. In claim 19, the phrase "video beam" is incorrectly spelled. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 through 20 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: In claim 1, for example, the elements set forth, i.e. "a housing", "a first base", "a second base", and "a video device" are listed without any structural or optical relationship to one another, the housing or the support surface. Claims 17, 19 and 20 suffer from the same problems.

Although claims 2 and 3 add some clarification to the structure, the claims are rejected for the same reasons already applied to rejected claim 1.

Claims 4 and 5 do not further limit claim 1 by means of the terms "video player" or "a DVD player" as those claims do not add further structure and they refer back to the video device of claim 1. Applicant's intent seems to be to claim a "video player" or a "DVD player", respectively, that comprises "video circuitry arranged to generate image

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information on a source screen; and a lamp and optics arranged to project a video beam onto a viewing surface, the video beam being indicative of the image information.”

Claim 6 is rejected as it already depends from rejected claim 1.

Claims 9, 10, 12, 13 and 15 set forth functional language. Note that the functional language recited after the word “wherein” in the claim does not define any structure and therefore does not further limit the claim. Apparatus claims must be structurally distinguishable from the prior art (MPEP 2114).

Claims 7 and 14 are rejected as they depend from a rejected base claim or a claim dependent thereupon.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16, 17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Tzong et al. U.S. Patent 6,805,451 B1.

Claim 1 sets forth: “ A video projector, comprising (See horizontal/vertical dual mode LCD projector.):

a housing resting on a support surface (See column 1, lines 65 and 66 wherein first and second casing covers (not shown) are described. Also see lamp housing 31 and platform 70.);

a first base constructed to orient a projection lens along a first projection axis (See first casing 10.);

a second base constructed to orient the projection lens along a second projection axis (See second casing 20.) ;

wherein the first projection axis is about orthogonal to the second projection axis (See column 2, lines 61 through 65. Also see Figures 7 and 8, for example, and see the Abstract.);

a video device providing the video projector with a video signal (See the BACKGROUND OF THE INVENTION.);

video circuitry arranged to generate image information on a source screen (See column 2, line 67 and column 3, lines 1 and 2.); and

a lamp and optics arranged to project a video beam onto a viewing surface, the video beam being indicative of the image information (See column 3, lines 3 through 29, for example.).”

Claim 2 sets forth: “The video projector of claim 1, wherein the first base and the second base are constructed on the outside of the housing, the first base and the second base being about orthogonal.” First casing 10 and second casing 20 are constructed outside of lamp module 31.

Claim 3 sets forth: “The video projector of claim 1, wherein the first base and the

second base are constructed on the inside of the housing, the first base and the second base being about orthogonal." First casing 10 and second casing 20 would be housed inside of their respective covers as discussed in the rejection of claim 1 above.

Claims 4 and 5 are met for the reasons already given, as it is not understood from the plain language of the claims how claims 4 and 5 further limit claims 1 and 4, respectively.

Claim 6 sets forth: "The video projector of claim 1, wherein the lamp is an incandecent bulb" See lamp module 30 with lamp bulb 32.

Claim 7 sets forth: "The video projector of claim 6, wherein the incandecent bulb outputs less than 7000 lumens." The patentable distinction or criticality of the limitation is not clear from the claim. An output of less than 7000 lumens or is known for a standard bulb.

With respect to claims 8 through 13, 15, 16, and 18, see column 1, lines 21 through 61 of '451 B1.

Again, claims 9, 10, 12, 13 and 15 set forth functional language. Note that the functional language recited after the word "wherein" in the claim does not define any structure and therefore does not further limit the claim. Apparatus claims must be structurally distinguishable from the prior art (MPEP 2114).

Claim 14 sets forth: "The video projector of claim 1, wherein the source screen is an LCD panel." See any of three video modulators 52.

Claim 20 is met for the same reasons already applied to rejected claim 1, and furthermore with respect to a TV tuner, see column 1, lines 37 through 40 and the "driving circuit board located on the top cover" disclosed therein.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

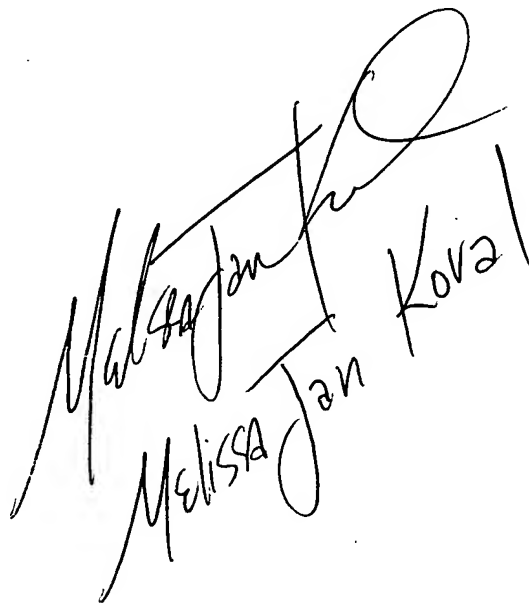
Slobodin U.S. Patent Application Publication US 2003/0099108 A1 teaches a recirculation of reflected source light in an image projection system. See section [0023] of Slobodin with regard to a range of lumens.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJK

  
Melissa Jan Koval